

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

KEVIN JAMES HARRIS

v.

NORTHWEST HOSPITAL CENTER,  
INC., ET AL.

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Civil No. – JFM-14-3225

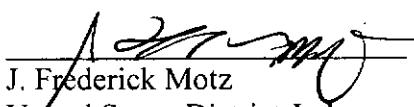
**MEMORANDUM**

Plaintiff has brought this *pro se* action for employment discrimination. Defendants have filed a motion to dismiss to which plaintiff has responded. The motion will be granted for the following reasons.

1. The suit is untimely having been filed more than 90 days after plaintiff received his right to sue letter. Although the action was filed within 94 days of plaintiff's receipt of the right to sue letter, the time limitation is jurisdictional.
2. To the extent that plaintiff asserts claims against the individual supervisors, the claims are not cognizable. *See Lissau v. Southern Food Serv., Inc.*, 159 F.3d 177, 181 (4th Cir. 1998).
3. To the extent that plaintiff is asserting claims for race discrimination, the claims are barred by the fact that plaintiff's EEOC charge was based solely on religion and retaliation.
4. Although as a *pro se* litigant, plaintiff is entitled to have his complaint construed liberally, he has stated no facts to support his claim for retaliation.

A separate order granting defendants' motion to dismiss is being entered herewith.

Date: 2/10/15

  
J. Frederick Motz  
United States District Judge